

**Record/FILE ON DEMAND**

U.S.P.S. PRIORITY EXPRESS TRACKING NO.

EI 597 357 318 US

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION**

<p>Nelson L. Bruce,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>Pentagon Federal Credit Union; et al.</p> <p style="text-align: center;">Defendants.</p>	<p>Case No.: 2:22-cv-02211-BHH-MGB</p> <p>PLAINTIFF'S OBJECTIONS TO MAGISTRATE REPORT AND RECOMMENDATION (ECF NO. 131), RELATED TO EQUIFAX</p>
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Comes now Plaintiff, **Nelson L Bruce**, above the age of 18, of the age of the majority, with the exercise of any and all his natural reserved and retained rights hereby respectfully presents his objections to **Magistrate Judge Mary Gordon Baker Report and Recommendation(R&R) (ECF No. 131)**. Plaintiff objects to the Magistrates R & R to the extent that plaintiff has exercised his right to a trial by jury on all matters presented in plaintiff's 2<sup>nd</sup> Amended Verified Complaint, to the extent that any decisions of a magistrate or judge could be construed as a waiver of a right to a trial by jury on all matters and for the reasons specified below:

**PLAINTIFF PARTIALLY OBJECTIONS TO MAGISTRATE'S REPORT AND  
RECOMMENDATION SECTION "A (2)" (Analysis of Claim under § 1681i)**


Plaintiff objects to Magistrate's statement that, "As an initial matter, the undersigned agrees that Plaintiff's May 3, 2022 letter to Equifax cannot serve as the requisite notice to support any claim under § 1681i because it does not allege inaccurate or incomplete reporting by PenFed. In this letter, Plaintiff indicates that the accounts reported by PenFed may be correct, he just is "not 100 percent sure if they are." (Dkt. No. 1-2 at 48.)". His request that Equifax "re-investigate if every piece of information" reported for three PenFed accounts "is correct" does not provide Equifax notice of a

dispute sufficient to trigger its reinvestigation duty under § 1681i (ECF No. 131 at 10)” for the reasons presented in his entire opposition to Equifax motion for judgment on the pleadings (ECF No. 114) which is hereby reiterated and incorporated by reference and for the following: First, the referenced letter indicates that plaintiff is challenging the accuracy of the accounts being reported by PenFed as the referenced letter is a challenge to the reporting of the PenFed accounts as the letter indicated that, “I had rights to challenge anything that I am not sure is accurate” which clearly challenges the accuracy of the information being reported by PenFed. Second, letter clearly indicates a requests for re-investigation of every piece of information being reported by PenFed to see if anything is missing from the report or not correct. Third, the Magistrates decision conflicts with what has conspired as a result of receiving a dispute from the plaintiff who is a consumer as the record clearly evidences that a re-investigation was triggered evidenced by Equifax results confirming which clearly evidence that PenFed re-investigated the information it was reporting and as a result verified the disputed information which is all information reported by them related to this account which the record evidences is both inaccurate and incomplete. Fourth, the Magistrate has not construed plaintiff’s May 3, 2023 letter in the light most favorable to him.

### **CONCLUSION**

For the reasons specified above, Plaintiff’s May 3, 2022 letter should be considered as triggering a duty to re-investigate as a re-investigation was clearly triggered and completed as evidenced by results from Equifax. Dated this 6<sup>th</sup> day of **October, 2023**.

RESPECTFULLY PRESENTED,

  
 Nelson L. Bruce, Propria Persona, Sui Juris  
 “All Natural Rights Explicitly Reserved and Retained”  
 c/o P.O. Box 3345, Summerville, South Carolina 29484  
 Phone: 843-437-7901  
 Email: leonbruce81@yahoo.com

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been mailed to the party/parties below **via the: UNITED STATES POSTAL SERVICE by the UNITED STATES POST OFFICE via First Class Mail and by the Court's CM/ECF system.** Dated this 6<sup>th</sup> Day of October, 2023.

**SENT TO:**

Wyche PA  
**Attention: Rita Bolt Barker**  
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*Attorney for Equifax*

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*Attorney for Equifax*

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“Without Prejudice”

Nelson L. Bruce

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